



**Planning and Community
Development Department**
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**DEVIATION REQUEST
AND DECISION FORM**

Updated: 6/26/2019

PROJECT INFORMATION

Project Name : Eagle Rising

Schedule No.(s) : 5229000034 & 5229000035

Legal Description : TR IN THE SW4NE4 AND THE NW4SE4 SEC 29-12-65 DESC AS FOLS: BEG AT THE SE COR OF THAT PARCEL DESC BY REC #216091687, TH N00-13-10W ALG THE E LN THEREOF 1324.32 FT TO THE S LN OF PARK FOREST ESTATES FIL. NO. 2, TH N89-20-54E ALG THE S LN THEREOF 405.98 FT, TH S00-42-15 128.76 FT, TH S34-43-55E 165.41 FT, TH S36-51-01E 37.27 FT, TH S41-13-47E 32.71 FT, TH S42-40-08E 258.35 FT, TH S45-59-28W 314.01 FT, TH S43-17-37E 540.81 FT, TH S42-52-53E 499.61 FT, TH S33-45-28W 165.64 FT, TH N61-46-05W 467.41 FT, TH S50-41-14W 334.09 FT, TH ALG THE ARC OF A CUR TO THE R HAVING A RAD OF 405.00 FT, A C/A OF 47-21-17, ARC DIST OF 334.73 FT, WHICH CHORD BEARS S07-17-14W, TH S56-14-32E 474.06 FT, TH S83-30-06W 384.26 FT, TH S06-58-34E 325.86 FT, TH N72-11-14W 437.27 FT, TH N00-13-51W 298.01 FT, TH ALG THE ARC OF A NON TANG CUR TO THE LEFT HAVING A RAD OF 100.55 FT, A C/A OF 11-19-26, ARC DIST OF 19.87, WHICH CHORD BEARS N84-20-17W, TH S90-00-00W 8.37 FT THE THE E LN OF EAGLE WING ESTATES, TH N00-14-32W ALG SD E LN 805.58 FT TO THE POB

TR IN THE SW4NE4 AND THE W2E4 SEC 29-12-65 DESC AS FOLS: COM AT THE NE COR OF A PARCEL DESC BY REC. #216091687, TH N89-20-54E ALG THE S LN OF PARK FOREST ESTATES FIL. NO. 2 405.98 FT TO THE POB; TH CONT N89-20-54E ALG SD S LN 416.74 FT TO THE NW COR OF A PARCEL DESC BY REC. #218019347, TH S00-38-43E 231.61 FT, TH S43-11-36E 489.25 FT TO THE NW COR OF LOT 1 POCO SUBDIVISION, TH S16-09-19E 158.54 FT, TH S02-45-43W 265.56, N84-40-14W 71.44 FT, TH S00-17-22W 147.58 FT, TH N88-34-04E 149.86 FT, TH S01-31-49E 312.54 FT TO THE NW COR OF HIGHLAND PARK FIL. NO. 3, TH S01-13-55E 142.05 FT, TH S34-55-41W 563.13FT, TH S00-01-042W 344.54 FT, TH N89-49-57E 88.68 FT, TH S00-02-26W 460.02 FT, TH N89-59-55W 1034.69 FT, TH N00-20-22W 206.03 FT TO THE SE COR OF LOT 11 EAGLE WING ESTATES, TH N00-14-32W 518.16 FT, TH N90-00-00E 8.37 FT, TH ALG THE ARC OF A CUR TO THE R HAVING A RAD OF 100.55 FT, A C/A OF 11-19-26, ARC DIST OF 19.87 FT, WHICH CHORD BEARS S84-20-17E, TH S00-13-51EW 298.01 FT, TH S72-11-14E 437.27 FT, TH N06-58-34W 325.86 FT, TH N83-30-06E 384.26 FT, TH N56-14-32W 474.06 FT, TH ALG TH ARC OF A NON TANG CUR TO THE L HAVING A RAD OF 405.00 FT, A C/A OF 47-21-17, ARC DIST OF 334.73 FT, WHICH CHORD BEARS N07-17-14E, TH N50-41-14E 334.09 FT, TH S61-46-054E 467.41 FT, TH N33-45-28E 165.64 FT, TH N42-52-53W 499.61 FT, TH N43-17-37W 540.81 FT, TH N45-59-28E 314.01 FT, TH N42-40-08W 258.35 FT, TH N41-13-47W 32.71 FT, TH N36-51-01W 37.27 FT, TH N34-43-55W 165.41 FT, TH N00-42-15W 128.76 FT TO THE POB

APPLICANT INFORMATION

Company : My Pad, Inc.

Name : Mr. Stephen Jacobs
Casas Limited Partnership #4 and IQ Investors, LLC

Owner Consultant Contractor

Mailing Address : P.O. Box 2076
Colorado Springs, CO 80901-0276

Phone Number : (719) 495-3875

FAX Number : N/A

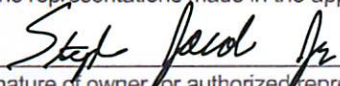
Email Address : S Jacobs <s2j1@me.com>

ENGINEER INFORMATION

Company :	LSC Transportation Consultants, Inc.	Colorado P.E. Number :	31684
Name :	Jeffrey C. Hodsdon		
Mailing Address :	2504 E. Pikes Peak Ave, Suite 304 Colorado Springs, CO 80909		
Phone Number :	719-633-2868		
FAX Number :	719-633-5430		
Email Address :	jeff@LSCtrans.com		

OWNER, APPLICANT, AND ENGINEER DECLARATION

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal will be cause to have the project removed from the agenda of the Planning Commission, Board of County Commissioners and/or Board of Adjustment or delay review until corrections are made, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval.


12/15/22

 Signature of owner (or authorized representative) Date

Engineer's Seal, Signature
And Date of Signature



DEVIATION REQUEST (Attach diagrams, figures, and other documentation to clarify request)

A deviation from the standards of or in Sections 2.3.8.A of the *Engineering Criteria Manual (ECM)* is requested to allow the extension of Eagle Wing Drive into the site to be installed as a private gravel roadway that would be maintained by the HOA. Please refer to the attached Exhibit 1 for additional details.

Identify the specific ECM standard which a deviation is requested:

2.2.7.B.1 Pavement Design – Road Paving Policy – New Roads
 New roadways shall be paved if it connects to an existing roadway that is paved at the time of final approval of the development or it connects to a roadway internal to the development that is required to be paved.

State the reason for the requested deviation:

The applicant is requesting that the extension of Eagle Wing Drive into the site be allowed to be installed as a gravel-surface private roadway as this meets the objectives and vision for the project. The roadway would be maintained by the HOA and the projected ADT is below 200 vehicles per day.

Explain the proposed alternative and compare to the ECM standards (May provide applicable regional or national standards used as basis):

The requested alternative is to allow a private gravel roadway. See exhibit 1 for the roadway segment location and additional details regarding the proposed public and private roadway terminations.

LIMITS OF CONSIDERATION

(At least one of the conditions listed below must be met for this deviation request to be considered.)

- The ECM standard is inapplicable to the particular situation.
- Topography, right-of-way, or other geographical conditions or impediments impose an undue hardship and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.

Provide justification:

ECM 2.2.7.B.1 states, "New roadways are not required to be paved where: The roadway has a projected ADT of less than the 200 ADT within the proposed 20-year design life and the new road connects to an existing gravel road." Although the roadway will connect to a paved road, the projected 20-year ADT is less than 200 vehicles per day, as shown in the Eagle Wing Rising 2022 Update TIS. A paved, public cul-de-sac will be provided at the end of the public portion of Eagle Wing Drive. As the gravel roadway within the development is proposed to be private, maintenance will be the responsibility of the applicant and not the County.

CRITERIA FOR APPROVAL

Per ECM section 5.8.7 the request for a deviation may be considered if the request is **not based exclusively on financial considerations**. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with **all of the following criteria**:

The deviation will achieve the intended result with a comparable or superior design and quality of improvement.

- The projected ADT is below the 200 ADT threshold at which the ECM requires roadways to be paved. A paved, public cul-de-sac will be provided at the end of the public portion of Eagle Wing Drive. The gravel roadway within the development is proposed to be private, maintenance will be the responsibility of the applicant and not the County.

The deviation will not adversely affect safety or operations.

- A short section of gravel road with an ADT of less than 200 vehicles per day will not adversely affect safety or operations if constructed to County gravel road standards.

Including grades and vertical curve? (not met on previous CDs) Add to the request if necessary.

The deviation will not adversely affect maintenance and its associated cost.

- As the roadway is proposed to be private, maintenance will be the responsibility of the applicant and not the County. A paved, public cul-de-sac will be provided at the end of the public portion of Eagle Wing Drive for use by County maintenance vehicles to turn-around at the end of the public section of the roadway.

HOA

The deviation will not adversely affect aesthetic appearance.

- Any impacts to the aesthetic appearance would be minimal, as the roadway will be built (and maintained) to County gravel road standards.

The deviation meets the design intent and purpose of the ECM standards.

- As the ADT is projected to be below the 200 vpd threshold, and with the provisions of this deviation, the design meets the intent of the ECM.

The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County's MS4 permit, as applicable.

- The requested deviation meets control-measure requirements of Part I.E.3 and Part I.E.4 of the MS4 Permit. Grading and Erosion Control Plans and SWMP Report will provide protection of existing conditions and erosion control measures per standards.

A paved apron extending 50 feet from the end of the public cul-de-sac will be required to minimize tracking of gravel road materials into the cul-de-sac; state that this will be provided (or it can be added as a condition of approval)

REVIEW AND RECOMMENDATION:

Approved by the ECM Administrator

This request has been determined to have met the criteria for approval. A deviation from Section _____ of the ECM is hereby granted based on the justification provided.

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Denied by the ECM Administrator

This request has been determined not to have met criteria for approval. A deviation from Section _____ of the ECM is hereby denied.

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ECM ADMINISTRATOR COMMENTS/CONDITIONS:

Documentation of fire district approval of the proposed road design will be required.

Public gravel road extension/cul-de-sac bulb



Approximate Scale
NTS

Private gravel road with gravel cul-de-sac bulb (deviation request location)

Public, paved cul-de-sac bulb

123
200

$$\frac{X}{X} = \frac{\text{Average Daily Traffic}}{\text{Design ADT from Table 2-5 of the El Paso County Engineering Criteria Manual}}$$

Exhibit 1

Roadway Classifications and Roadway Surface

Eagle Rising 2022 Update (LSC #S224260)

